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RUEATRS/DEPT OF TREASURY WASHDC PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 2612
RUEHNO/USMISSION USNATO PRIORITY 2766
RUEHGV/USMISSION GENEVA PRIORITY 6058
RUEHUNV/USMISSION UNVIE VIENNA PRIORITY 1437

C O N F I D E N T I A L SECTION 01 OF 03 KABUL 002736

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STATE FOR SCA/FO, SCA/A, S/CRS, SCA/PAB, S/CT,
INL
STATE PASS TO USAID FOR AID/ANE, AID/DCHA/DG
NSC FOR AHARRIMAN
CENTCOM FOR CG CFC-A, CG CJTF-76, POLAD
TREASURY FOR D/S KIMMITT, APARAMESWARAN, AJEWELL

E.O. 12958: DECL: 06/14/2016
TAGS: PGOV SNAR PTER ASEC AF
SUBJECT: PROBATION BOARD FOR POLICE LIST ADDITIONS:
PRELIMINARY DISCUSSION

Classified By: AMBASSADOR RONALD NEUMANN FOR REASONS
1.4 (B) AND (D)

¶1. (C) Summary: With considerable U.S. input, international community representatives agreed on June 14 that the Probation Board for the dozen or so problem cases on the new police list should establish objective, forward-looking standards and meet periodically over a period of four months to evaluate the cases. The Board would be constituted under the authority of Interior Minister Zarar Moqbil so as to both avoid political interference and strengthen Zarar's position within the GOA. The group set an aggressive timetable to move ahead with setting up the Board and defining the standards and modalities of its operation. It will meet again on June 17 to finalize these arrangements, after CSTC-A Commander Durbin has had a chance to consult with Minister Zarar. Human rights remain a paramount consideration, and we are giving serious thought as to how to address these concerns if the Probation Board turns out to be insufficient to ensure the removal of the worst cases. End summary.

¶2. (C) German Police Program (GPPO) Advisor Ambassador Frick called a meeting on June 14 to discuss the design and role of a Probation Board that would review the late additions to the police list announced by President Karzai last week. President Karzai has agreed in principle in conversations with both Ambassador Frick and Ambassador Neumann to a Probation Board; this proposal will be presented to him as a coordinated

approach between Ministry of Interior and the international community once the details have been worked out. Attendees at this meeting included Ambassador Neumann and polmiloff, CSTC-A Commander MG Durbin and staff, and representatives from UNAMA, EU, Japan, Canada, UK, Australia, and GPPO.

¶3. (C) As they worked to determine who exactly would be placed in probationary status, attendees admitted to confusion about the various names circulating on contradictory lists. It was decided that a working-level group from CSTC-A and GPPO would develop a list by COB June 14 of the appointees whose names had not been included on the Selection Board list of 86 submitted to President Karzai on May 22 but who were subsequently given senior police positions. It was also agreed that the list would be reviewed by the whole group to make sure that no egregious human rights violators had been inadvertently exempted from probationary review due to the use of this standard. The list will be finalized by COB June 15. (Note: The draft list circulated by CSTC-A at COB June 14 has 14 names on it, though the final list may vary in details.)

Composition of the Board

¶4. (C) With regard to the composition and broad direction of the Probation Board, there was broad support for having Ministry of Interior Zarar Moqbil retain final authority rather than submitting the

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process to the Afghan interagency or presidential consideration. This, it is hoped, will minimize political pressure on the board's decisions while also strengthening Zarar's position within the GOA. On the basis of standards to be developed (see below), the board would convene monthly over a period of four months to review the cases. Judgment against anyone on the list could be made at any convened session when the evidence was considered sufficient to proceed. Final decisions on the remaining cases would be made at the end of four months.

Standards

¶5. (C) The group agreed to meet again on July 17 to finalize the standards that would be used by the Probation Board. MG Durbin said that between now and then he would talk to Minister Zarar to get his input and suggestions. Ambassador Neumann noted that in an early June discussion with Zarar, the Minister had proposed a number of standards to be used in evaluating new appointees. The July 17 meeting will review Zarar's updated suggestions and add any additional standards that are considered essential to the review process.

¶6. (C) Attendees agreed that the evaluation process should be forward-looking and based on objective standards related to how the appointee is performing his job and whether he has any committed any excludable action since being appointed to his position. These would presumably include ties to drug smuggling, evidence of corruption, support for illegally armed groups, and similar activity. Since the people whose human rights records are a matter of concern have all in the past been involved in this kind of activity, and in addition none or few are likely to perform well on the job, the international community is hopeful that the

Probation Board will be in a position to have all the problematic appointees fired within four months if not sooner. (Note: A working group will be formed from CFC-A, CSTC-A, U.S. Embassy, ISAF, UNAMA, EU, and countries with relevant PRTs to monitor and evaluate the appointees, and report to the Probation Board. End note.)

Human Rights Concerns

¶ 7. (C) It was recognized that the Probation Board may not, in the end, be sufficient to remove some of the real problem cases. In the meeting we argued, and the group agreed, that there is a political element here that must be recognized, and political problems may still have to be worked at the political level. Especially since almost all the really bad appointments are of former mujahedin fighters, their cases will have to be handled carefully to avoid an ethnically-based backlash. For this reason, we made clear to the international community that it is critical to keep the Probation Board process objective, transparent, and apolitical. We will also need to engage closely,

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through CSTC-A, with the Ministry of Interior, to make sure the review has full Afghan participation, so that it is not seen as the international community imposing its will on a recalcitrant GOA. Ambassador Frick agreed with this approach but noted that Berlin must agree also and is very concerned that the candidates with really bad human records must go. We agree. The manner of getting to that goal and other are still open points that can be finessed over time. For now, we are off to a good start. We'll continue to work the details over the coming week in order to move ahead quickly.

NEUMANN